



DATED: 8-26-08

CASE # 08 CIV-4561 (DC)

RE: TOLLIVER V. DOCS, ET AL.

DEAR Judge Chin,

Very good day to you, I AM WRITING TO THE COURT IN RESPONSE TO THE DEFENDANT MOTION TO DISMISS DATED 8-21-08. PLAINTIFF RECEIVED THIS MOTION ON 8-25-08, AND IS RESPECTFULLY ASKING THE COURT FOR AN EXTENSION OF TIME TO FILE AN OPPOSITION, THE REASON FOR THIS REQUEST IS THAT, THE PLAINTIFF WILL BE GOING TO AN OUTSIDE HOSPITAL STARTING TOMORROW TO HAVE SURGERY DONE, AND DON'T KNOW HE WILL BE RETURNING TO THE FACILITY, PLUS THE PLAINTIFF IS ALSO LOCK UP IN THE FACILITY S HU-Box AND HAVE LIMITED ACCESS TO THE LAW LIBRARY, SO WITH ALL THESE PROBLEMS THE PLAINTIFF IS HAVING I AM ALSO SUBMITTING A APPLICATION FOR THE COURT TO REQUEST APPOINTMENT OF COUNSEL. ALSO PENDING BEFORE THE COURT IS A MOTION FOR DEFAULT JUDGMENT, THAT WAS SUBMITTED BY THE PLAINTIFF ON 8-18-08. THIS IS THE PLAINTIFF FIRST TIME REQUESTING AN EXTENSION OF TIME, WHEREFORE, PLAINTIFF RESPECTFULLY REQUESTED THAT THE TIME TO ANSWER WITH RESPECT TO THE DEFENDANT MOTION TO DISMISS BE EXTENDED TO OCTOBER 24, 2008 TO ANSWER TO SAID MOTION.

Application GRANTED. Plaintiff's time to file opposition papers is extended until 10/24/08. Defendants' reply papers are now due on 11/10/08.

Respectfully submitted
ERIC TOLLIVER PRO SE

CC: JEB HARBEN

ASSISTANT ATTORNEY GENERAL

SO ORDERED

WSDJ 8/29/08